

Remarks:

Responsive to the Official Action mailed September 5, 2004 Applicant respectfully requests reconsideration, reexamination and allowance of claims 1-2 and 5-6 in view of the above amendments and the following remarks.

First, the Examiner has objected to the drawings under 37 CFR 1.83(a) sating that the drawings must show every feature of the invention specified in the claims and as such, the subject matter of claims 3, 4 and 7 must be shown or the features canceled from the claims. The Examiner states further that no new matter should be entered.

In conjunction with this, the Examiner has rejected claims 1-7 under 35 U.S.C. 112, first paragraph, as failing to comply with tie enablement requirement stating that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make and/or use the invention. Specifically, the Examiner states that the claims recite, for example, in claim 1, in part, a panel for carrying at least a portion of the control system, the panel being formed as a door for an enclosure, the panel being fully removable from the enclosure" and in claims 3 and 4, in part, "wherein the panel is mounted to the enclosure by a fastener" and "wherein the fastener is threaded". The Examiner states that he has reviewed the written description and the accompanying drawings, but in only one instance is able to find any description of the claimed invention, that is in paragraph [0010].

The Examiner noted that in this paragraph, the following is provided, "The machine includes a control system. A panel carries at least a portion of the control system. The panel is formed as a door for an enclosure. The panel fully removable from the enclosure. In a present machine, the entirety of the control system is carried by the panel. The panel is mounted pivotally by a threaded fastener." Later, at pages 13 and 14, paragraph [0076], the applicant discloses, Referring now to FIGS. 6 and 7, still another feature that enhances the reduced size and footprint needed for machine operation is a fully enclosed and modularized electronics/control panel 190 for automatic machine 10 operation. The panel 190 is mounted to the machine 10 as a single unit within the electronics enclosure 156. In a present arrangement, the panel 190 is formed as a door 192 for the enclosure 156. Quick-disconnect electrical fittings 194 are used to connect the door-

mounted control panel 190 so that the entirety of the control system (e.g., the controller indicated generally at 196) can be carried by the panel or door 190, for ready replacement. Preferably, the panel 190 is mounted to the enclosure 156 using a quick-release latch assembly 132 such as that illustrated in FIGS. 8-11. This arrangement provides for a readily maintainable and serviceable unit that can, if necessary, be readily replaced as needed for continued machine 10 operation.

Applicant has amended the specification by providing in paragraph 0076 the language of paragraph 0010. That is, the specification has been amended to repeat (from paragraph 0010 in paragraph 0076) that the panel 190 can be mounted pivotally by a threaded fastener 198. Applicant has, in conjunction with this change to the specification, amended FIG. 6 to include a threaded fastener for pivotally mounting the panel 190 to the enclosure 156. This fastener (and arrangement) is identical to that shown in FIG. 13 in reference to the slack box and strapping head doors 158 and 160, and the mounting arrangement of these doors. To this end, Applicant submits that the change to the specification and to the drawings are supported within other parts of the specification and drawings and as such do not add new matter.

Next, the Examiner has rejected claims 5 and 6 are under 35 U.S.C. 102 (b) as anticipated by Kaise et al., GB 2308719, but has also indicated that claims 1-4 and would be allowable if rewritten to overcome the rejections under section 112 and that claim 7 would be allowable if rewritten to overcome the rejections under section 112 and to include the elements of its base claim and any intervening claims.

To this end, Applicant has amended claims 1 and 5 and has cancelled claims 3-4 and 7 in an effort to move the present application on to allowance and issue. As such, Applicant respectfully submits that claims 1-2 and 5-6 are in condition for allowance, and, in conjunction with the amendments to the specification and to FIG. 6, that the application is in condition for allowance and respectfully solicits early indication of same.

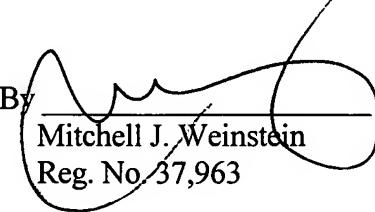
Applicant believes that there is no fee due in connection with the present amendment. If, however, there is a fee due, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 23-0920.

Serial No. 10/674,115
Art Unit 3721

Amendment A

Should the Examiner believe that a telephone interview would expedite prosecution and allowance of the present application, or address any outstanding formal issues, he is respectfully requested to contact the undersigned.

Respectfully submitted,

By 
Mitchell J. Weinstein
Reg. No. 37,963

January 4, 2005

WELSH & KATZ, LTD.
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
(312) 655-1500 Telephone
(312) 655-1501 Facsimile